

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of Order: November 24, 2017

+ **W.P.(C) 10406/2017 & CMs 42513-14/2017**

DR. B. P. SINHA Petitioner
Through: Mr. D.K. Devesh, Advocate

versus

UNION OF INDIA & ANR. Respondents
Through: Mr. Chiranjeev Kumar and Mr.
Mukesh Sachdeva, Advocate for respondent
No.1-UIOI

CORAM:
HON'BLE MR. JUSTICE SUNIL GAUR

ORDER
(ORAL)

1. Petitioner aged about 78 years claims to be in the last stage of Prostate Cancer and is said to have incurred medical expenses to the tune of ₹4,98,374/- and had sought its reimbursement. As per Annexure P-6 (colly.), petitioner's claim for reimbursement of medical expenses has been returned in original to petitioner to provide two clarifications as contained at item Nos.6 & 7 thereof. Alongwith Annexure P-6 (colly.), there is a calculation sheet in respect of petitioner's treatment expenses, which, according to respondents, indicates that the medical claim payable to petitioner is ₹2,23,727/-.

2. Learned counsel for petitioner submits that in response to Annexure P-6 (colly.), petitioner had submitted a Reply of 27th October,

2017 (*Annexure P-10*) seeking reimbursement of entire amount claimed, but neither there is any response from respondents nor has the admitted amount of ₹2,23,727/- been paid to petitioner. Learned counsel for petitioner submits that to meet the recurring medical expenses, petitioner needs reimbursement of medical claim and so, instead of filing a representation, petitioner has straightaway approached this Court.

3. Despite service of advance notice, none appears on behalf of respondent No.2.

4. Upon hearing, it is deemed appropriate to direct second respondent to pay the admitted amount of ₹2,23,727/- to petitioner within two weeks from today. So far as the remaining amount claimed by petitioner is concerned, learned counsel for petitioner submits that instead of making a representation, it would be appropriate if second respondent is directed to consider petitioner's reply/objections of 27th October, 2017 (*Annexure P-10*) and if second respondent declines petitioner's claim for reimbursement of remaining medical amount, then reasons for doing so be provided and conveyed to petitioner, promptly.

5. In view of aforesaid, this petition and the applications are disposed of with direction to second respondent to pay the admitted amount of ₹2,23,727/- to petitioner within two weeks and to consider petitioner's reply/objections of 27th October, 2017 (*Annexure P-10*) within three weeks from today and in case petitioner's entire medical claim is not reimbursed, then the reasons for not doing so, be spelt out and conveyed to petitioner within a week thereafter, so that petitioner may avail of the remedies as available in law, if need be.

6. Copy of this order be given *dasti* under the signatures of the Court Master to petitioner's counsel.

(SUNIL GAUR)
JUDGE

NOVEMBER 24, 2017

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